

STANDING CHAPTER 13 TRUSTEE ALEJANDRO OLIVERAS RIVERA
REPORT OF ACTION TAKEN
MEETING OF CREDITORS

In re:

ELISA ZAYAS ZAYAS

Case No. 15-07825-ESL

Chapter 13

Attorney Name: ROBERTO FIGUEROA CARRASQUILLO*

I. Appearances Debtor <input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent Joint Debtor <input type="checkbox"/> Present <input type="checkbox"/> Absent Attorney for Debtor <input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent <input type="checkbox"/> Prose <input type="checkbox"/> Appearing:	Date & Time: 11/9/2015 10:25:00AM <input checked="" type="checkbox"/> R <input type="checkbox"/> NR LV: 0.00 <input checked="" type="checkbox"/> This is debtor(s) 1 Bankruptcy filing. Creditors: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <u>Marilda Vallejo Roldan & Nestor Camacho Sanchez</u> <u>Money Express by Ms. Ivelisse Romero</u> </div>
II. Oath Administered <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
III. Plan Date: 10/05/2015 Base: \$10,500.00 Payments 0 made out of 1 due. Confirmation Hearing Date: 12/4/2015 11:00:00AM Evidence of Pmt shown:	
Attorney's fees as per R. 2016(b) <div style="margin-top: 10px;"> $\\$3,000.00 - \\$165.00 = \\$2,835.00$ </div>	
IV. Status of Meeting <input checked="" type="checkbox"/> Closed <input type="checkbox"/> Not Held <input type="checkbox"/> Held/Continued <input type="checkbox"/> Held/Not Closed <input type="checkbox"/> Continued Continued Date: Comments:	
<input type="checkbox"/> M.T.D. to be filed by Trustee: Debtor(s) failed to: <input type="checkbox"/> Appear: <input type="checkbox"/> Commence payments <input type="checkbox"/> Keep payments current <input type="checkbox"/> does (do) not qualify as a debtor (§109): <input type="checkbox"/> MTD Already filed, see Docket: <input type="checkbox"/> Other:	

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(Cont.)

Trustee's Report on Confirmation

☐ FAVORABLE

☒ UNFAVORABLE

☐ Feasibility

☐ Insufficiently funded

☐ Unfair discrimination

☒ Fails disposable income

☐ Fails liquidation value test

☐ Insuarence quote

☐ No provision for secured creditor(s)

☐ Tax returns missing

☐ State - years

☐ Federal - years

Pending/Items/ Documents:

☐ DSO Recipient's Information

☐ Evidence of being current with DSO

☐ Evidence of income

☐ Monthly reports for the months

☐ Public Liability Insurance

☐ Premises

☐ Vehicle(s):

☐ Licenses issued by:

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Trustee's objection to confirmation

☒ Objection to Confirmation

☐ Oral objection by creditor

I reviewed documentary evidence on the filing of the 2011 thru 2014 state income tax returns.

Debtor(s) made aware of plan's tax refund provision to increase pay-out to creditors.

Counsel reports a liquidation value of zero and trustee concurs.

1. Presiding to review if debtor receives any child support for her 5yrs son listed in Sch J. Sch I needs to be amended \$53.00 weekly.

SCMI discloses a household size of 3; however, Sch J only discloses one dependent. As per contract agreement submitted, appears the contract was signed by Debtor and Mr. Abdiel Raul Sanchez. Clarify if he is still living with debtor and why his income was not considered in Sch I. He does live with her but he is unemployed.

2. Debtor exceeds in the amount of \$49.00 of exemption taken under d2 over the vehicle. As per Reliable's claim #1, the property has no equity.

3. You have a payroll deduction of \$262.67 for a loan; who is the creditor? Luis E. Viloría. He is her employer who made a loan to her and is being paid back thru payroll deductions. Principal approx \$2,000.00 in March 2015. Check-off of \$216.57 a month. We have a preference her too. Counsel to seek cessation of check-off and return of preference.

4. Creditors are landlord. She owes them \$38 for Sept and the months of Oct and November. Monthly installment is \$425.00. However, contract expired on Oct. 31, 2015. And plan, although states it is to be assumed, does not provide for curing of arrears. Parties are to see if they can have a negotiated solution.

The following party(ies) object(s) confirmation:

s/Alejandro Oliveras

Date: 11/09/2015

Trustee/Presiding Officer

(Rev. 05/13)